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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IPOX SCHUSTER, LLC,

Plaintiff,

v.

NIKKO ASSET MANAGEMENT CO., LTD.

and

LAZARD ASSET MANAGEMENT LLC,

Defendants.

No: 15-cv-9955

**MOTION TO EXTEND DEADLINE FOR  
DEFENDANT NIKKO ASSET MANAGEMENT CO., LTD. TO FILE ITS  
RESPONSE TO PLAINTIFF'S COMPLAINT**

Defendant NIKKO ASSET MANAGEMENT CO., LTD. (hereinafter, "Nikko"), by and through its attorneys, Michael D. Huber and Kelly V. McHale of the law firm of Cray Huber Horstman Heil & VanAusdal LLC, hereby moves for this Court to extend the deadline in which it is to file its response to Plaintiff's complaint, and in support thereof, state as follows:

1. On November 4, 2015, Plaintiff filed its Complaint against Defendants Nikko and Lazard Asset Management, LLC.
2. By agreement, Defendant Nikko was to respond by way of a pre-answer motion to dismiss Plaintiff's Complaint by February 10, 2016. Among other grounds, Nikko intends to move pursuant to Fed. R. Civ. P. 12(b)(2) because the Complaint fails to allege sufficient facts to establish personal jurisdiction over it, and indeed Nikko has no jurisdictional contacts with this district.

3. Due to continued investigation by Nikko as a foreign Defendant, additional time is necessary to facilitate the completion of Defendant Nikko's motion to dismiss Plaintiff's Complaint.

4. Therefore, counsel for Defendant Nikko requests an additional 30 days and requests an extension of time from February 10, 2016 to March 14, 2016 in which to file its pre-answer motion to dismiss.

5. Counsel for Defendant Nikko contacted counsel for Plaintiff requesting an agreement to the above requested extension of time for Defendant Nikko to file its response to Plaintiff's Complaint. Plaintiff's counsel represented it will not oppose this motion.

WHEREFORE, Defendant NIKKO ASSET MANAGEMENT CO., LTD. respectfully requests this Court grant their agreed motion and enter an order extending the deadline in which to file its response to Plaintiff's Complaint in this matter to March 14, 2016.

Respectfully submitted,

CRAY HUBER HORSTMAN HEIL  
& VanAUSDAL LLC

By: /s/ Kelly V. McHale

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*Attorneys for Defendant Nikko Asset Management Co., Ltd.*

**CERTIFICATE OF SERVICE**

I hereby certify that on January 21, 2016, I electronically filed MOTION TO EXTEND DEADLINE FOR DEFENDANT NIKKO ASSET MANAGEMENT CO., LTD. TO FILE ITS RESPONSE TO PLAINTIFF'S COMPLAINT, with the Clerk of Court using the CM/ECF system, which will send notification of such filing(s) to all attorneys of record.

/s/ Kelly V. McHale  
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Kelly V. McHale